

Atty. Dkt. No. 5123/Consilium/DV

**COMBINED DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that:

This declaration is of the following type:

- ☒ original
- ☐ divisional
- ☐ continuation
- ☐ continuation-in-part

**INVENTORSHIP IDENTIFICATION**

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**TITLE OF INVENTION**

TOOL SERVICES LAYER FOR PROVIDING TOOL SERVICE FUNCTIONS  
IN CONJUNCTION WITH TOOL FUNCTIONS

**SPECIFICATION IDENTIFICATION**

The specification of which:

- ☐ is attached hereto
- ☒ was filed on August 14, 2001, under Serial No. 09/928,473, executed on even date herewith
- ☐ was described and claimed in PCT International Application No. \_\_\_\_\_ filed on \_\_\_\_\_ and as amended under PCT Article 19 on \_\_\_\_\_.

**ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information I know to be material to patentability in accordance with Title 37, Code of Federal Regulations, 1.56,

and which is material to the examination of this application; namely, information where there is a substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent, and

- ☐ In compliance with this duty there is attached an Information Disclosure Statement in accordance with 37 CFR 1.98.

**PRIORITY CLAIM (35 U.S.C. §119)**

I hereby claim foreign priority benefits under Title 35, United States Code, §119, of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America or of any United States Provisional Application(s) listed below, and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter

Atty. Dkt. No. 5123/Consilium/DV

having a filing date before that of the application(s) of which priority is claimed.

- ☒ No such applications have been filed.  
☐ Such applications have been filed as follows:

- A. Prior foreign/PCT/provisional application(s) filed within 12 mos. (6 mos. for design) prior to this application, and any priority claims under 35 U.S.C. § 119

<u>Country/PCT</u>	<u>Application No</u>	<u>Date Filed</u>	<u>Priority Claimed</u>
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

- B. All foreign application(s), if any, filed more than 12 mos. (6 mos for design) prior to this U.S. application

Country:  
 Application No:  
 Filing date:

#### PRIORITY CLAIM (35 U.S.C. §120)

I hereby claim the benefit under Title 35, United States Code, § 120, of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information that is material to the examination of this application (namely, information where there is substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

- ☒ No such applications have been filed  
☐ Such applications have been filed, as follows:

<u>Serial No.</u>	<u>Filing Date</u>	<u>Status</u>
		<u>Patented Pending</u> <u>Abandoned</u>

#### POWER OF ATTORNEY

I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Peter J. Sgarbossa	Registration No. 25,610
Donald Verplancken	Registration No. 33,217
Lawrence Edelman	Registration No. 25,226
Michael B. Einschlag	Registration No. 29,301
Joseph Bach	Registration No. 37,771
Raymond Kam-On Kwong	Registration No. 37,165
James C. Wilson	Registration No. 35,412
Robert W. Mulcahy	Registration No. 25,436
Sarah Brashers	Registration No. 38,087
Walter Benjamin Glenn	Registration No. 44,713
Scott M. Alter	Registration No. 32,879
Luke J. Yeh	Registration No. 43,296

## Send correspondence to:

Patent Counsel, MS/2061  
Legal Affairs Dept.  
Applied Materials, Inc.  
P.O. Box 450A  
Santa Clara, CA 95052

## Direct telephone calls to:

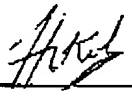
Scott Alter  
(202) 942-8428

Atty. Dkt. No. 5123/Consilium/DV

## DECLARATION

*I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and, further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Sec. 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.*

Full name of sole or first inventor: Horne L. Koh

Inventor's signature: Date: October 01, 2001

Residence:

San Jose, California

Post Office Address:

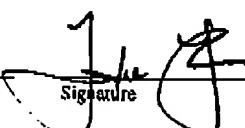
629 Rebecca Way #2

San Jose, California 95117

U.S.A.

Country of Citizenship: Singapore

(Declaration ends with this page)

FORM PTO-1596 1-31-92 Patent and Trademark Office		RECORDATION FORM COVER SHEET U.S. DEPARTMENT OF COMMERCE	
<b>DOCKET NO.: 5123/Consilium/DV PATENTS ONLY</b>			
To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy therein:			
<b>1. Name of conveying party(ies):</b> Home L. KOH  Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<b>2. Name and address of receiving party(ies):</b> Name: <u>Applied Materials, Inc.</u>  Internal Address: _____  Street Address: <u>3050 Bowers Avenue</u>  City: <u>Santa Clara</u> State/Country: <u>California</u> ZIP: <u>95054</u>  Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>3. Nature of conveyance:</b> <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other _____  Execution Date: <u>October 1, 2001</u>			
<b>4. Application number(s) or patent number(s):</b>  If the document is being filed together with a new application, the execution date of the application is: _____  A. Patent Application No(s). <u>09/928.473 filed August 14, 2001</u>  B. Patent No(s).  Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
<b>5. Name and address of party to whom correspondence concerning document should be mailed:</b> Name: <u>Applied Materials, Inc.</u>  Internal Address: <u>Patent Counsel, M/S 2061</u>  <u>Legal Affairs Dept.</u>  Street Address: <u>P.O. Box 450A</u>  City: <u>Santa Clara</u> State: <u>CA</u> ZIP: <u>95052</u>		<b>6. Total number of applications and patents involved:</b> <u>1</u>  <b>7. Total fee (37 CFR 3.41)</b> <u>\$40.00</u> <input type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Authorized to be charged to deposit account  <b>8. Deposit account number:</b> <u>08-0219</u>	
DO NOT USE THIS SPACE			
<b>9. Statement and signature.</b> <i>To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.</i>  <u>Luke J. Yeh, Registration No. 43,296</u> Name and Registration No. of Person Signing   Signature  <u>1/24/02</u> Date  CMB No. 0851-0011 (exp. 4/94)  Total number of pages comprising cover sheet: <u>1</u>			

Case # 5123/Consilium/DV

**ASSIGNMENT FOR APPLICATION FOR PATENT**

WHEREAS:

Names and Addresses of Inventors:

1)	Horne L. KOH 629 Rebecca Way #2 San Jose, California 95117 U.S.A.	2)	
----	--	----	--

(hereinafter referred to as Assignors), have invented a certain invention entitled:

**TOOL SERVICES LAYER FOR PROVIDING TOOL SERVICE FUNCTIONS  
IN CONJUNCTION WITH TOOL FUNCTIONS**

for which application for Letters Patent in the United States was filed on August 14, 2001,

under Serial No. 09/928,473, executed on even date herewith; and

WHEREAS, Applied Materials, Inc., a corporation of the State of Delaware, having a place of business at 3050 Bowers Avenue, Santa Clara, California 95054 (hereinafter referred to as Assignee), is desirous of acquiring the entire right, title and interest in and to said application (hereinafter referred to as the Application), and the invention disclosed therein (hereinafter referred to as the Invention), and in and to all embodiments of the Invention, heretofore conceived, made or discovered by said Assignors, and in and to any and all patents, inventor's certificates and other forms of protection (hereinafter referred to as the Patents) thereon granted in any and all countries and groups of countries.

NOW, THEREFORE, in consideration of good and valuable consideration acknowledged by said Assignors to have been received in full from said Assignee:

1. Said Assignors hereby sell, assign, transfer and convey to Assignee the full and exclusive right, title and interest (a) in and to said Application and said Invention; (b) in and to all rights to apply for patents on said Invention in any and all countries pursuant to the International Convention for the Protection of Industrial Property or otherwise; (c) in and to any and all Applications filed and any and all Patents granted on said Invention in any and all countries and groups of countries, including each and every Application filed and each and every Patent granted on any application which is a division, substitution, or continuation of said Application; and (d) in and to each and every reissue or extension of any of said Patents.

2. Said Assignors hereby covenant and agree to cooperate with said Assignee to enable said Assignee to enjoy to the fullest extent the right, title and interest to said Invention herein conveyed in any and all countries and groups of countries. Such cooperation by said Assignors shall include prompt production of pertinent facts and documents, giving testimony, execution of petitions, oaths, specifications, declarations or other papers, and other assistance all to the extent deemed necessary or desirable by said Assignee (a) for perfecting in said Assignee the right, title and interest herein conveyed; (b) for prosecuting any of said applications; (c) for filing and prosecuting substitute, divisional, continuing or additional applications covering said Invention; (d) for filing and prosecuting applications for reissuance of any of said Patents; (e) for interference or other priority proceedings involving said Invention; and (f) for legal proceedings involving said Invention and any application therefor and any Patents granted thereon, including without limitation opposition proceedings, cancellation proceedings, priority contests, public use proceedings, infringement actions and court actions; provided, however, that the expense incurred by said Assignors in providing such cooperation shall be paid for by said Assignee.

Case # 5123/Consilium/DV

3. The term and covenants of this agreement shall inure to the benefit of said Assignee, its successors, assigns and other legal representatives, and shall be binding upon said Assignors, their respective heirs, legal representatives and assigns.

4. Said Assignors hereby warrant and represent that they have not entered and will not enter into any assignment, contract, or understanding in conflict herewith.

IN WITNESS WHEREOF, the said Assignors have executed and delivered this instrument to said Assignee on the dates indicated below.

1) X October 01, 2001 X

Home L. Koh

